

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

DERRICK M. ALLEN, SR.,)
Petitioner,)
v.) 1:20CV1121
DURHAM CO. DETENTION)
FACILITY, et al.,)
Respondents.)

ORDER

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on February 25, 2021, was served on the parties in this action. (Docs. 6, 7.) Petitioner objected to the Recommendation. (Doc. 9.) The court has appropriately reviewed the portions of the Magistrate Judge's report to which objections were made and has made a de novo determination in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that this action is dismissed *sua sponte* without prejudice to Petitioner filing a new petition which corrects the defects of the current Petition and/or an appropriate civil rights action under § 1983.

/s/ Thomas D. Schroeder
United States District Judge

March 11, 2021